

FILED
GREAT FALLS DIV

2009 JUL 30 PM 3 26

PATRICK E. DUFFY, CLERK

BY _____
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

ENID L. YEAGER,

Plaintiff,

vs.

CUSA ES, LLC, et al.,

Respondents.

No. CV 09-49-GF-SEH

ORDER

On June 24, 2009, United States Magistrate Judge Keith Strong entered Findings and Recommendation¹ in this matter. Plaintiff did not file objections. No review is required of proposed findings and recommendations to which no objection is made. Thomas v. Arn, 474 U.S. 140, 149-152 (1986). However, this

¹ Docket No. 7.


Court will review Judge Strong's Findings and Recommendation for clear error.

Upon review, I find no clear error in Judge Strong's Findings and Recommendation and adopt them in full.

ORDERED:

1. Petitioner's amended complaint² is DISMISSED WITH PREJUDICE for failing to state a claim and lack of jurisdiction.
2. The Clerk of Court is directed to enter a judgment of dismissal.
3. A certificate of appealability is DENIED. Any appeal would be taken in bad faith as no claim has been stated or jurisdiction established.

DATED this 30th day of July, 2009.


SAM E. HADDON
United States District Judge

² Docket No. 6.